

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-28 and 30-34 are pending in this application.

35 U.S.C. § 103

Claims 1-28 and 30-34 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,590,038 to Pitroda (hereinafter "Pitroda") in view of U.S. Patent No. 6,125,352 to Franklin et al. (hereinafter "Franklin"). Applicant respectfully submits that claims 1-28 and 30-34 are allowable over Pitroda in view of Franklin.

Pitroda is directed to a universal electronic transaction card ("UET card") including receipt storage and system and methods of conducting electronic transactions (see, Title and Abstract). As discussed in the Abstract of Pitroda, the UET card is capable of serving as a number of different credit cards, bank cards, identification cards, employee cards, medical cards and the like. The UET card includes information storage elements, an input interface, a processor, a display, and a communications interface. The display is a touch-sensitive display which provides the user with a number of graphical images which enable the user to selectively chose the type of "credit card" to use for a transaction, and to then choose a particular credit card to use with the transaction. Sales transaction information is also transferred and stored in the UET card by the point of sales terminal to eliminate paper receipts and facilitate future storage, verification and analysis for billing, budgeting and financial management and using a home or office personal computer or other facilities.

Franklin (see, Abstract) discusses a system and method for conducting commerce over a distributed network manage merchant and product information in an electronic shopping basket, payment source information in an electronic wallet, and shipping address information in an electronic address book, all of such information being stored on a consumer computer. A commerce client running on the consumer computer is configured as a MIME handler and extends the functionality of a standard Web browser to support computer-based shopping. A merchant site Web server provides HTML-coded Web documents which describe merchant products and which host computer-based shopping options. The HTML-coded Web documents contain function-calling information by which consumer-selected options invoke shopping-related functions on either the merchant (server) computer or the consumer (client) computer. A consumer selects the options from within the Web browser to initiate shopping-related operations such as: retrieve product information from merchants on the World Wide Web, selectively store product information locally on the consumer computer, locally compare product information from different merchants, locally store payment source and shipping address information and selectively forward such information to merchant sites, order products from Web-based merchants, track the status of purchase orders, and receive instructional information on application usage.

As discussed at MPEP §2143.03 (emphasis added), to establish *prima facie* obviousness of a claimed invention, **all the claim limitations must be taught or suggested by the prior art.** *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ

Thus, this cited portion of Pitroda discusses that menus can be provided on a touch sensitive display to enable the user to select one service institution from a group of service institutions in order to proceed with a transaction using the card. This selection, however, is a selection made by the user rather than a selection of a subset of a plurality of accounts to make available to the user. Although this cited portion of Pitroda mentions that multiple levels of menus may be provided, nowhere is there any discussion or mention of selecting a subset of accounts to make available to a user and that the selected subset of accounts includes only those accounts that can be used by the user to make a purchase (regardless of whether that purchase is at a merchant server or elsewhere). Simply allowing a user to use menus to select information that is stored on his or her card does not disclose or suggest limiting the subset of accounts presented to the user to include only those accounts that can be used by the user to make a purchase (regardless of whether that purchase is at a merchant server or elsewhere). Without any discussion or mention of a subset including only those accounts that can be used by the user to make a purchase (regardless of whether the purchase is at a point of sales terminal, a merchant server, or elsewhere), Applicant respectfully submits that Pitroda cannot disclose or suggest the selecting of claim 1.

Per MPEP §2143.03, to establish *prima facie* obviousness of a claimed invention, **all the claim limitations must be taught or suggested by the prior art.** Although claim 1 is rejected under a combination of Pitroda and Franklin, the teachings of Pitroda are relied on as disclosing the selecting of claim 1. Franklin is cited in the July 6, 2005 Office Action at p. 3 as disclosing “receiving, from a merchant server”. Assuming for the sake of argument that Franklin does disclose

receiving, from a merchant server, there still is no discussion or mention in Pitroda in view of Franklin of selecting a subset of the plurality of accounts to make available to the user, the subset including only those accounts that can be used by the user to make a purchase (regardless of whether that purchase is at a particular merchant server, a particular point of sales terminal, or anywhere else).

As such, Applicant respectfully submits that *prima facie* obviousness of claim 1 has not been established, and that claim 1 is allowable over Pitroda in view of Franklin.

Furthermore, as there is no disclosure or suggestion of selecting a subset of the plurality of accounts as recited in claim 1, Applicant respectfully submits that there cannot be any disclosure or suggest of presenting such a subset of accounts to the user as recited in claim 1. Although Pitroda discusses providing menus on a touch sensitive display to enable the user to select one service institution from a group of service institutions, there is no discussion or mention with such displayed menus of presenting a subset of accounts to the user, the subset including only those accounts that can be used by the user to make a purchase (regardless of whether that purchase is at a point of sales terminal, a merchant server, or elsewhere). As such, Applicant respectfully submits that Pitroda cannot disclose or suggest the presenting of claim 1.

With respect to Franklin, Franklin is cited as disclosing receiving, from a merchant server. Assuming for the sake of argument that Franklin does disclose receiving, from a merchant server, there still is no discussion or mention in Pitroda in view of Franklin of presenting such a subset of accounts to a user as recited in claim 1. As such, Applicant respectfully submits that *prima facie* obviousness of

claim 1 has not been established, and that claim 1 is allowable over Pitroda in view of Franklin.

For at least these reasons, Applicant respectfully submits that *prima facie* obviousness of claim 1 has not been established, and thus that claim 1 is allowable over Pitroda in view of Franklin.

Given that claims 2, 6, 9, and 10 depend from claim 1, Applicant respectfully submits that claims 2, 6, 9, and 10 are likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 1.

With respect to claim 3, claim 3 depends from claim 1 and Applicant respectfully submits that claim 3 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 1. Furthermore, claim 3 recites:

One or more computer readable media as recited in claim 1, wherein the accounts that can be used to make a purchase at the merchant server are those accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable.

Applicant respectfully submits that there is no disclosure or suggestion in Pitroda in view of Franklin of the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable.

In the July 6, 2005 Office Action at p. 4, Pitroda is cited as disclosing the elements of claim 3. Pitroda discusses that when several credit card or service institutions have activated a UET card, a display allows the user to select any of

the card type options for use (see, col. 13, lines 59-62). For example, the user can select by touching box next to the 'credit' on the screen, all the credit cards available (see, col. 13, lines 62-64).

However, there is no mention in Pitroda of the accounts presented to the user being only those that can be used by the user to make a purchase (regardless of whether that purchase is at a point of sales terminal, a merchant server, or elsewhere), with those accounts being accounts of a type identified by the merchant server (or point of sales terminal) as well as additional accounts of a type that are mapped to an account type identified by the merchant server (or point of sales terminal) as being useable. There is no mention in Pitroda of a merchant or merchant server (or point of sales terminal) identifying types of accounts that can be used and presenting only those accounts to the user. Additionally, there is no mention in Pitroda of further including in those accounts presented to the user accounts of a type that are mapped to an account type identified by the merchant server (or point of sales terminal) as being useable. Applicant respectfully submits that the discussion of allowing a user to select a card type option to use in Pitroda does not disclose or suggest any such identifying, presenting, or including.

Without any mention, much less discussion, of such accounts in Pitroda, Applicant respectfully submits that Pitroda cannot disclose or suggest the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable as recited in claim 3.

With respect to Franklin, Franklin is cited in the rejection of claim 1 as disclosing receiving, from a merchant server. Assuming for the sake of argument that Franklin does disclose receiving, from a merchant server, there still is no discussion or mention in Pitroda in view of Franklin of the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server as well as additional accounts of a type that are mapped to an account type identified by the merchant server as being useable as recited in claim 3.

As such, Applicant respectfully submits that *prima facie* obviousness of claim 3 has not been established, and that claim 3 is allowable over Pitroda in view of Franklin.

With respect to claim 4, claim 4 depends from claim 1 and Applicant respectfully submits that claim 4 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 1. Furthermore, claim 4 recites:

One or more computer readable media as recited in claim 1, wherein the accounts that can be used to make a purchase at the merchant server are those accounts of a type identified by the merchant server as well as additional accounts of a type from which funds can be added to an account of a type identified by the merchant server.

Applicant respectfully submits that there is no disclosure or suggestion in Pitroda in view of Franklin of the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server as well as additional accounts of a type from which funds can be added to an account of a type identified by the merchant server.

As discussed above, Pitroda discusses that when several credit card or service institutions have activated a UET card, a display allows the user to select any of the card type options for use. However, there is no mention in Pitroda of the accounts presented to the user being only those that can be used by the user to make a purchase (regardless of whether at a point of sales terminal, at a merchant server, or elsewhere), with those accounts being accounts of a type identified by the merchant server (or point of sales terminal) as well as additional accounts of a type from which funds can be added to the an account of a type identified by the merchant server or point of sales terminal. There is no mention in Pitroda of a merchant or merchant server (or point of sales terminal) identifying types of accounts that can be used and presenting only those accounts to the user. Additionally, there is no mention in Pitroda of further including in those accounts presented to the user accounts of a type from which funds can be added to an account of a type identified by the merchant server (or point of sales terminal). Applicant respectfully submits that the discussion of allowing a user to select a card type option to use in Pitroda does not disclose or suggest any such identifying, presenting, or including.

Thus, without any mention, much less discussion, of such accounts in Pitroda, Applicant respectfully submits that Pitroda cannot disclose or suggest the accounts that can be used to make a purchase being those accounts of a type identified by the merchant server (or point of sales terminal) as well as additional accounts of a type from which funds can be added to an account of a type identified by the merchant server (or point of sales terminal).

With respect to Franklin, Franklin is cited in the rejection of claim 1 as disclosing receiving, from a merchant server. Applicant respectfully submits that Franklin is not cited as curing the deficiencies of Pitroda discussed above.

As such, Applicant respectfully submits that *prima facie* obviousness of claim 4 has not been established, and that claim 4 is allowable over Pitroda in view of Franklin.

Given that claim 5 depends from claim 3, Applicant respectfully submits that claim 5 is likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 3.

With respect to claim 7, claim 7 depends from claim 1 and Applicant respectfully submits that claim 7 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 1. Furthermore, Applicant notes that although the language of claim 7 is recited in the July 6, 2005 Office Action at pp. 4-5, there is no identification in the July 6, 2005 Office Action of any portion(s) of any of the cited references that are being relied on in rejecting claim 7. If the rejection of claim 7 is maintained, Applicant again respectfully requests that the Examiner identify which portions of the cited references are being relied on in rejecting claim 7.

Given that claim 8 depends from claim 7, Applicant respectfully submits that claim 8 is likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 7. Furthermore, Applicant notes that although Pitroda is cited in the July 6, 2005 Office Action at p. 5 as disclosing the elements of claim 8, there is no identification in the July 6, 2005 Office Action of which portion(s) of Pitroda are being relied on as disclosing the elements of

claim 8. If the rejection of claim 8 is maintained, Applicant again respectfully requests that the Examiner identify which portion(s) of Pitroda are being relied on in rejecting claim 8.

With respect to claim 11, claim 11 recites:

A method comprising:
presenting a plurality of accounts of different types to a user,
the plurality of accounts being included in an electronic wallet; and
allowing the user to transfer value from one of the plurality of
accounts to another of the plurality of accounts.

Applicant respectfully submits that Pitroda in view of Franklin does not disclose the presenting and allowing of claim 11.

In the July 6, 2005 Office Action, it is acknowledged that Pitroda does not disclose the allowing of claim 11 (see, July 6, 2005 Office Action at p. 6). However, the Abstract of Franklin is relied on as disclosing the allowing of claim 11 (see, July 6, 2005 Office Action at p. 6). The Abstract of Franklin reads as follows:

A system and method for conducting commerce over a distributed network manage merchant and product information in an electronic shopping basket, payment source information in an electronic wallet, and shipping address information in an electronic address book, all of such information being stored on a consumer computer. A commerce client running on the consumer computer is configured as a MIME handler and extends the functionality of a standard Web browser to support computer-based shopping. A merchant site Web server provides HTML-coded Web documents which describe merchant products and which host computer-based shopping options. The HTML-coded Web documents contain function-calling information by which consumer-selected options invoke shopping-related functions on either the merchant (server) computer or the consumer (client) computer. A consumer selects the options from within the Web browser to initiate shopping-related operations such as: retrieve product information from merchants on the World Wide

Web, selectively store product information locally on the consumer computer, locally compare product information from different merchants, locally store payment source and shipping address information and selectively forward such information to merchant sites, order products from Web-based merchants, track the status of purchase orders, and receive instructional information on application usage.

Although payment source information being managed in an electronic wallet is discussed in the Abstract of Franklin, Applicant respectfully submits that there is no discussion or mention of allowing a user to transfer value from one of a plurality of accounts included in an electronic wallet to another of the plurality of accounts included in the electronic wallet. Without any such discussion or mention, Applicant respectfully submits that Franklin cannot disclose or suggest the allowing of claim 11.

Per MPEP §2143.03, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. As noted above, it is acknowledged in the July 6, 2005 Office Action that Pitroda does not disclose the allowing of claim 11, and there is no assertion in the July 6, 2005 Office Action that Pitroda suggests the allowing of claim 11. Furthermore, Franklin does not disclose or suggest the allowing of claim 11 as discussed above. As such, Applicant respectfully submits that all of the elements of claim 1 are not taught or suggested by Pitroda in view of Franklin, and thus that *prima facie* obviousness of claim 11 has not been established and that claim 11 is allowable over Pitroda in view of Franklin.

For at least these reasons, Applicant respectfully submits that claim 11 is allowable over Pitroda in view of Franklin.

Given that claims 12, 13, and 16 depend from claim 11, Applicant respectfully submits that claims 12, 13, and 16 are likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 11.

With respect to claim 14, claim 14 depends from claim 11 and Applicant respectfully submits that claim 14 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 11. Furthermore, claim 14 recites:

A method as recited in claim 11, wherein the allowing comprises allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts while in the process of making an on-line purchase.

Pitroda is cited in the July 6, 2005 Office Action at p. 6 as disclosing the allowing of claim 14. However, elsewhere in the July 6, 2005 Office Action it is acknowledged that Pitroda does not disclose allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11 (see, July 6, 2005 Office Action at p. 6). As Pitroda does not disclose allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11, Applicant respectfully submits that Pitroda cannot disclose wherein the allowing comprises allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts while in the process of making an on-line purchase as recited in claim 14.

Furthermore, Pitroda at col. 14, lines 8-49 is cited as disclosing the allowing of claim 14. This cited portion of Pitroda reads as follows:

FIG. 15 displays the status on the UET card during a sales transaction, when the UET card is connected through the CIU to a point of sales terminal. The progress of the dialing process to the main computer, in the form of send/receive etc., is displayed accordingly. Once the point of sales terminal is connected to the main computer, the salesperson can input transaction amount for a credit check and authorization. After proper verification at the main central computer, the authorization will appear on the display of the UET card and/or the point of sales computer. The point of sales computer will download and display the transaction details, as shown in FIG. 16, and transmit the transaction information into the memory of the UET card, on which the transaction information may be displayed for visual verification by the customer. If necessary, such as in a restaurant, the customer can add a gratuity at this stage by using the 0 to 9 keys on the touch-screen display and appropriate commands. Thereafter, the POS salesperson may request the customer to sign the bill on the display in designated area. Once the card holder signs, the customer's original signature, which was stored in memory when the UET card was activated, will appear on the display of the UET card and/or the display of the point of sales computer for visual verification. This would essentially complete normal transaction, as shown in FIG. 17.

A sample of typical commands for the UET card is shown in FIG. 18. Because of the software flexibility, a variety of commands can be developed to changing customer needs. Each set of commands are associated with the display on hand. The commands are required to guide UET Card user to process transactions and help analyze transaction details, history, and patterns.

FIG. 19 shows a typical bank card through which with appropriate interface the card holder can use ATM and perform bank transactions directly with the bank computer with built in security. These transactions may include features such as, withdraw, deposit, write check (WRC), write periodic checks, pay home loans, utility bills, etc., or request monthly statement, account summary, etc. All of the information required for a checking account or ATM transaction is included in the account information for the bank which has issued the bank card authorization to the UET card holder.

Thus, this cited portion of Pitroda discusses displaying a status on a UET card during a sales transaction (e.g., the progress of the dialing process to a main computer), displaying an authorization, and displaying transaction details. This cited portion of Pitroda also discusses performing bank transactions directly with a bank computer with built in security, and that the transactions may include features such as withdraw, deposit, write check, write periodic checks, pay home loans, utility bills, request monthly statement, account summary, etc. However, there is no discussion or mention in this cited portion of allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts while in the process of making an on-line purchase. Without any such discussion or mention, Applicant respectfully submits that Pitroda cannot disclose or suggest the allowing of claim 14.

Franklin is not cited as curing, and does not cure, these deficiencies of Pitroda.

As such, Applicant respectfully submits that all of the elements of claim 14 are not taught or suggested by Pitroda in view of Franklin, and thus that *prima facie* obviousness of claim 14 has not been established and that claim 14 is allowable over Pitroda in view of Franklin. For at least these reasons, Applicant respectfully submits that claim 14 is allowable over Pitroda in view of Franklin.

With respect to claim 15, claim 15 depends from claim 14 and Applicant respectfully submits that claim 15 is allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 14. Furthermore, claim 15 recites:

A method as recited in claim 14, wherein the allowing further comprises allowing the user to transfer value from an account that is

not accepted by a merchant at which the on-line purchase is being made to an account that is accepted by the merchant.

Pitroda is cited in the July 6, 2005 Office Action at p. 6 as disclosing the allowing of claim 15. However, elsewhere in the July 6, 2005 Office Action it is acknowledged that Pitroda does not disclose the allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11 (see, July 6, 2005 Office Action at p.6). As Pitroda does not disclose allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11, Applicant respectfully submits that Pitroda cannot disclose wherein the allowing further comprises allowing the user to transfer value from an account that is not accepted by a merchant at which the on-line purchase is being made to an account that is accepted by the merchant as recited in claim 15.

Furthermore, Pitroda at col. 14, lines 8-49 is cited as disclosing the allowing of claim 15. As discussed above with respect to claim 14, this cited portion of Pitroda discusses displaying a status on a UET card during a sales transaction (e.g., the progress of the dialing process to a main computer), displaying an authorization, and displaying transaction details. This cited portion of Pitroda also discusses performing bank transactions directly with a bank computer with built in security, and that the transactions may include features such as withdraw, deposit, write check, write periodic checks, pay home loans, utility bills, request monthly statement, account summary, etc. However, there is no discussion or mention in this cited portion of allowing the user to transfer value from an account that is not accepted by a merchant at which the on-line purchase is being made to an account that is accepted by the merchant. Without any such

discussion or mention, Applicant respectfully submits that Pitroda cannot disclose or suggest the allowing of in claim 15.

Franklin is not cited as curing, and does not cure, these deficiencies of Pitroda.

As such, Applicant respectfully submits that all of the elements of claim 15 are not taught or suggested by Pitroda in view of Franklin, and thus that *prima facie* obviousness of claim 15 has not been established and that claim 15 is allowable over Pitroda in view of Franklin. For at least these reasons, Applicant respectfully submits that claim 15 is allowable over Pitroda in view of Franklin.

With respect to claim 17, claim 17 recites:

A system comprising:
a wallet server to store a plurality of payment accounts for a user; and
a user interface component, coupled to the wallet server, to display the plurality of payment accounts and to allow manipulation of the payment accounts including transferring value from one payment account to another.

Applicant respectfully submits that Pitroda in view of Franklin does not disclose or suggest a wallet server and user interface component as recited in claim 17.

Applicant respectfully submits that, similar to the discussion above regarding claim 11, Pitroda in view of Franklin does not disclose or suggest a user interface component, coupled to the wallet server, to display the plurality of payment accounts and to allow manipulation of the payment accounts including transferring value from one payment account to another as recited in claim 17.

Furthermore, Pitroda is cited in the July 6, 2005 Office Action at p. 7 as disclosing the user interface component of claim 17. However, elsewhere in the

July 6, 2005 Office Action it is acknowledged that Pitroda does not disclose allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11 (see, July 6, 2005 Office Action at p. 6). As Pitroda does not disclose allowing the user to transfer value from one of the plurality of accounts to another of the plurality of accounts as recited in claim 11, Applicant respectfully submits that Pitroda cannot disclose a user interface component to allow manipulation of the payment accounts including transferring value from one payment account to another as recited in claim 17.

For at least these reasons, Applicant respectfully submits that claim 17 is allowable over Pitroda in view of Franklin.

Given that claim 18 depends from claim 17, Applicant respectfully submits that claim 18 is likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 17.

With respect to claim 19, claim 19 recites:

A method comprising:
receiving a request from a user to make a purchase using a particular type of fund included in an electronic wallet of the user;
converting payment information corresponding to the particular fund to a credit card format; and
communicating the converted payment information to a merchant for the purchase.

Applicant respectfully submits that Pitroda in view of Franklin does not disclose or suggest the receiving, converting, and communicating of claim 19.

Pitroda is cited in the July 6, 2005 Office Action at p. 7 as disclosing the converting and communicating of claim 19. As discussed above, the UET card of Pitroda is capable of serving as a number of different credit cards, bank cards,

identification cards, employee cards, medical cards and the like. The UET card is capable of functioning as a number of different credit cards or other transaction or identification cards, which provides the user of the UET card with the capability of selecting one of many such cards for use in a particular transaction (see, col. 1, lines 20-25). Additionally, Pitroda discusses that in order to activate the UET card for a particular credit card service or other service institution, authorization data enabling the UET card to function as a "credit card" or other type of "card" for that institution is transmitted to the UET card (see, col. 15, lines 40-64).

However, Applicant respectfully submits that nowhere in Pitroda is there any discussion or suggestion of the UET card being used to convert payment information corresponding to a particular fund to a credit card format, and communicating the converted payment information to a merchant for the purchase as recited in claim 19. Pitroda at col. 1, lines 9-36 is cited as disclosing this converting and communicating of claim 19. This cited portion of Pitroda reads:

This invention relates to a universal electronic transaction card ("UET card") for storing, transmitting and receiving personal, accounting and transactional information, to a UET card and communications systems, and to an electronic transaction system which utilizes UET cards. This invention also relates to a health care system utilizing UET cards. This invention also relates to methods of issuing an account authorization to a UET card, a method of transferring transactional and account information between a UET card and a personal computer or a mainframe computer, a method of using the UET card as a remote terminal for a mainframe computer, and a method of conducting an electronic transaction. The UET card of the present invention is capable of functioning as a number of different credit cards or other transaction or identification cards, which provides the user of the UET card with the capability of selecting one of many such cards for use in a particular transaction. The UET card of this invention has universal application for all personal and financial transactions, such as

normal credit card usage of the type commonly associated with **MASTERCARD, VISA, AMERICAN EXPRESS** or automatic banking transactions (known as "ATM" transactions); health service transactions, such as physicians' services, hospital services, or home health care services; personal identification, including social security number, signature, photograph, and other personal information; employee information, such as employee identification numbers; and license information, including drivers licenses, vehicle registrations, professional licenses, and the like.

Thus, this cited portion of Pitroda discusses that the UET card is capable of functioning as a number of different credit cards or other transaction or identification cards. However, the mere disclosure that the UET card is capable of functioning as a number of different credit cards or other transaction or identification cards does not disclose or suggest any sort of **converting of payment information** to a credit card format. There is no mention of any sort of converting information to a particular credit card format in Pitroda, much less of communicating the converted payment information to a merchant for the purchase. Thus, Applicant respectfully submits that Pitroda cannot disclose or suggest the converting and communicating of claim 19.

With respect to Franklin, Franklin is not cited as curing this deficiency of Pitroda. For at least these reasons Applicant respectfully submits that claim 19 is allowable over Pitroda in view of Franklin.

Given that claims 20-25 depend from claim 19, Applicant respectfully submits that claims 20-25 are likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 19.

With respect to claim 26, claim 26 recites:

A method comprising:
maintaining, in an electronic wallet, a plurality of different types of payment accounts for a user;

allowing the user to transfer payment information stored in the payment accounts to merchants to make purchases; and allowing the user to transfer funds between different ones of the plurality of different types of payment accounts.

Applicant respectfully submits that, similar to the discussion above regarding claim 11, Pitroda in view of Franklin does not disclose allowing the user to transfer funds between different ones of the plurality of different types of payment accounts that are maintained in an electronic wallet as recited in claim 26. For at least these reasons, Applicant respectfully submits that claim 26 is allowable over Pitroda in view of Franklin.

Given that claims 27, 28, and 30-33 depend from claim 26, Applicant respectfully submits that claims 27, 28, and 30-33 are likewise allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 26.

Claims 20 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Pitroda in view of Franklin and further in view of U.S. Patent No. 5,710,886 to Christensen et al. (hereinafter "Christensen"). Applicant respectfully submits that claims 20 and 21 are not obvious over Pitroda in view of Franklin and further in view of Christensen.

With respect to claims 20 and 21, given that claims 20 and 21 depend from claim 19, Applicant respectfully submits that claims 20 and 21 are allowable over Pitroda in view of Franklin for at least the reasons discussed above with respect to claim 19. Furthermore, Applicant respectfully submits that Christensen is not cited as curing the deficiencies of Pitroda in view of Franklin discussed above with respect to claim 19. For at least these reasons, Applicant respectfully submits that claim 19 is allowable over Pitroda in view of Franklin and further in view of

With respect to claim 34, it is acknowledged in the July 6, 2005 Office Action at p. 9 that Pitroda in view of Franklin does not disclose the maintaining and presenting of claim 34. It appears from the July 6, 2005 Office Action at p. 9 that Christensen is being relied on as disclosing claim 34.

In contrast, claim 34 recites:

maintaining a gift certificate account including payment information corresponding to the gift certificate account;

presenting, to the user, the gift certificate account as a gift certificate; and
presenting, to a merchant, the gift certificate account as a credit card.

Applicant respectfully submits that Christensen does not disclose or suggest the maintaining and presenting of claim 34.

In the July 6, 2005 Office Action at pp. 8-9, the Abstract of Christensen is relied on as disclosing the maintaining and presenting of claim 34. The Abstract of Christensen reads as follow:

A method and apparatus for distributing, generating, and redeeming discount coupons, rebate or gift certificates or the like tracks each coupon using a consumer ID number printed on the coupon. Coupons may be distributed electronically, for example, in the form of a diskette or CD-ROM software. Software on the diskette or CD-ROM may prompt a consumer to call a 1-800 number for a validation number or code. During the phone call, telemarketing personnel may request consumer demographic and or identification information which may be entered into a centralized database. Once the software is validated, a consumer may print out selected coupons displayed on a Graphical User Interface (GUI). Each coupon may be printed only a limited number of times. Each coupon may be imprinted with a consumer ID number, preferably in the form of a bar code. Once redeemed, consumer ID information and coupon information may be retrieved from coupons forwarded to a coupon clearing house. Accurate data may then be produced illustrating which consumers or groups of consumers are redeeming which coupons. Such data may be used for marketing purposes or to generated further diskettes for distribution targeting specific consumers or groups of consumers with specific classes of coupon offerings. The use of a consumer ID number on the coupon may reduce or prevent the fraudulent copying and redemption of coupons, as multiple redemptions of a single coupon by a consumer may be readily detected from data gathered at the brokerage clearing house.

Although rebate or gift certificates are mentioned in the Abstract of Christensen, there is no discussion or mention presenting, to the user, a gift

certificate account as a gift certificate and presenting, to a merchant, the gift certificate account as a credit card as recited in claim 34. The mere disclosure of coupons, or rebate or gift certificates does not disclose presenting the coupons, rebate or gift certificates to the user as something different than what they are presented to the merchant as, as recited in claim 34. Thus, Applicant respectfully submits that Christensen cannot disclose or suggest the maintaining and presenting of claim 34.

Per MPEP §2143.03, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. As Christensen does not disclose or suggest the maintaining and presenting of claim 34, Applicant respectfully submits that all of the elements of claim 34 are not taught or suggested by Christensen, and thus that *prima facie* obviousness of claim 34 has not been established and that claim 34 is allowable over Christensen.

For at least these reasons, Applicant respectfully submits that claim 34 is allowable over Christensen, as well as Pitroda in view of Franklin and further in view of Christensen.

Applicant respectfully requests that the §103 rejections be withdrawn.

Conclusion

Claims 1-28 and 30-34 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

Date: 8/30/05

By: [Signature]
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